

## **REMARKS**

In the outstanding Office Action, the Examiner allowed claims 8, 14-18 and 23-25; rejected claims 1, 9, and 19 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,875,189 to Brownhill et al. (“Brownhill”) in view of U.S. Patent No. 6,456,597 to Bare (“Bare”); and objected to claims 2-7, 10-13, and 20-22 as being dependent upon a rejected base claim but otherwise allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In the Advisory Action mailed December 28, 2005, the Examiner indicated that the Amendment After Final filed November 22, 2005 would be entered, but the rejection remained final. In this Supplemental Amendment After Final, Applicants propose amending claims 1, 2, 9, 10, 19, and 20. Claims 1-25 remain pending.

Applicants gratefully acknowledge the Examiner’s allowance of claims 8, 14-18 and 23-25, and the indication of claims 2-7, 10-13, and 20-22 as containing allowable subject matter.

Applicants thank the Examiner for the courtesy extended to Applicants’ representative in the interview of January 20, 2006. In the interview, the Examiner first confirmed that claims 2-7, 10-13, and 20-22 were objected to, and that claims 1, 9, and 19 were rejected. The Examiner indicated that reverse indication that claims 1, 9, and 19 were objected to and that claims 2-7, 10-13, and 20-22 were rejected, as indicated in the Advisory Action mailed December 28, 2005, was a typographical error.

In addition, Applicants’ representative proposed amending claims 1, 9, and 19 to include elements recited in respective claims 2, 10, and 20. Specifically, Applicants’ representative proposed amending claims 1, 9, and 19 to include “incrementing said count field ...” and “decrementing said count field ...,” as recited in respective claims 2, 10, and 20. The Examiner indicated that the proposed amendment would be incorporating allowable subject matter from

claims 2, 10, and 20 into rejected claims 1, 9, and 19, and thus claims 1, 9, and 19 would be allowable over the cited references.

Regarding the Examiner's rejection of claims 1, 9, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Brownhill in view of Bare, Applicants do not agree with the Examiner's assertions and conclusions as set forth in the outstanding Office Action.<sup>1</sup> In order to expedite prosecution, however, Applicants propose amending claims 1, 9, and 19 to include the allowable subject matter of respective claims 2, 10, and 20. Accordingly, Applicants respectfully submit that amended claims 1, 9, and 19 are allowable over the cited references. Applicants therefore request that the Examiner withdraw the rejection of claims 1, 9, and 19 under 35 U.S.C. § 103(a).

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-7, 9-13, and 19-22 in condition for allowance. Applicants submit that the proposed amendment of claims 1, 9, and 19 does not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement of characterization in the Office Action.

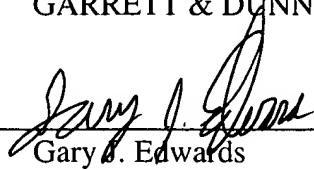
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: January 24, 2006

By: \_\_\_\_\_



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